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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OMAR YAKAR

Plaintiff

v.

GCFS, Inc., a corporation; and GILBERT
WILKES IV, an individual; and DOES 1
through 10 inclusive,

Defendants

Civil Case No. C 06-05670 PJH

**REQUEST FOR DISMISSAL AND
REFUND OF FILING FEE ; ORDER**

Plaintiff requests that the Court dismiss the instant action without prejudice and refund his filing fee. The action should have been filed in the Central District. Plaintiff's attorney inadvertently sent it to the Northern District.

Respectfully Submitted,

Dated 10/5/2006

_____/S/_____
Eric F. Fagan, Attorney for Plaintiff

ORDER

It is ordered that this case be dismissed without prejudice and that the Clerk refund to Plaintiff his \$350 filing fee payable to his attorney.

10/10/06

Honorable

